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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Akira NAGAE et al.

Group Art Unit: 3683

Application No.: 09/436,219

Examiner: M. Burch

Filed: November 9, 1999

Docket No.: 104721

For: DEVICE FOR CONTROLLING OVER-ROLLING OF VEHICLE BODY

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INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

Pursuant to 37 CFR § 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

1. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection, Notice of Allowance, or other action that closes prosecution (e.g., Quayle Action), but before payment of the Issue Fee. Attached is our Check No. 145433 in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please credit or debit Deposit Account No. 15-0461 as needed to ensure consideration of the disclosed information. Two duplicate copies of this paper are attached.
- a. The two U.S. Patent reference(s) listed on the enclosed Form PTO-1449 were cited by the Office in co-pending parent application No. 09/520,789, filed March 8, 2000, now U.S. Patent 6,315,373, in an Office Action dated June 19, 2001. Applicant has informed Applicants' undersigned representative that Applicant forwarded a facsimile instruction letter to the undersigned law firm on August 13, 2001, a copy of which is attached, which requested us to file an Information Disclosure Statement listing the two patents cited herein. The date of the instruction letter is less than two months from the date the two patents were cited. Applicants' undersigned representative's law firm has conducted an exhaustive search of its files and records and has no record of receiving that facsimile letter. On August 20, 2003, Applicant asked the undersigned law firm to check and see if an IDS listing those two patents was filed, and indicating that there was no other material to file. Applicants' undersigned representative became aware of the need to file an IDS listing those two U.S. patents for the first time on August 20, 2003.

MATCH & RETURN

Under the circumstances, Applicants respectfully request that this IDS be treated on a nunc pro tunc basis as if it had been filed within three months of the June 19, 2001 Office Action which cited the two U.S. patents listed on the attached Form PTO-1449.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Robert J. Webster
Registration No. 46,472

JAO:RJW/sxb

Enclosure:

August 13, 2001 facsimile instruction letter

Date: August 21, 2003

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